



W.P.(MD)No.24593 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2024

WEB COPY

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD)No.24593 of 2024
and
W.M.P.(MD)Nos.20935 and 20937 of 2024**

Selvam

... Petitioner

-VS-

1.The District Collector,
Theni District,
Theni.

2.The Tahsildar,
Andipatti Taluk,
Theni District.

3.The Revenue Inspector,
Andipatti Taluk,
Theni District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order of the 3rd respondent dated 01.10.2024 in respect of issuance of notice under Section 5 of the Tamil Nadu Land Encroachment Act, 1905 for the property situated in S.No. 911/1 situated in Kovilpatti Village, Andipatti Taluk and Theni District and quash the same.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.S.P.Maharajan,
Special Government Pleader

<https://www.mhc.tn.gov.in/judis>



ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

The prayer in the writ petition reads as follows:

“To issue a Writ of Certiorari, to call for the records relating to the impugned order of the 3rd respondent dated 01.10.2024 in respect of issuance of notice under Section 5 of the Tamil Nadu Land Encroachment Act, 1905 for the property situated in S.No.911/1 situated in Kovilpatti Village, Andipatti Taluk and Theni District and quash the same.”

2. Challenge is to the notice under Section 7 of the Land Encroachment Act, 1905. It is only a show cause notice. It is claimed by the petitioner that the petitioner has not encroached upon any land, apart from the extent to which he has been granted Patta. It is open to the petitioner to file an appropriate objection with the Tahsildar who will consider the same and pass appropriate orders.

3. In view of the same, this writ petition is dismissed as premature. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M., J.] [L.V.G., J.]

18.10.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
Sml



To

1.The District Collector,
Theni District,
Theni.

2.The Tahsildar,
Andipatti Taluk,
Theni District.

3.The Revenue Inspector,
Andipatti Taluk,
Theni District.

W.P.(MD)No.24593 of 2019





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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

Sml

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